

SPECIAL SESSION, WORKSESSION AND EXECUTIVE SESSION  
OF THE CITY COUNCIL

Monday, June 5, 1995

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Executive Session 6/5/95 - Moved by Ms. Porter; seconded by Mr Williams. Council convened in Executive Session by unanimous vote at 7:45 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Porter, Rubin, Williams. OFFICIALS ABSENT: Elrich. STAFF PRESENT: Habada, Grimmer, Hobbs, Sartoph, Phillips. Staff briefed Council about apparent suicide; no action was taken (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(ii)).

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## SPECIAL SESSION

The Council adjourned from Executive Session and convened in Special Session at 8:15 p.m.

#1 2nd Reading Ordinance re: Upper Westmoreland Avenue Storm Drain Project. Ms. Habada asked that this item be removed from the agenda until next week.

Mr. Williams added that options are still being discussed.

There were no objections to postponing the item.

#2 Resolution re: Collective Bargaining Agreement (UFCW Local 400). Mr. Hobbs suggested that if there is Council disagreement about the terms of the agreement or if the Council does not want to ratify the agreement, the Council should discuss these matters in Executive Session.

(Moved by Rubin; seconded by Elrich) Mr. Rubin said that as a matter of principle, he is in favor of ratifying an agreement that has been reached between employees and management.

Mr. Elrich added his support, commenting that the agreement is within the bounds as discussed by Council.

The resolution was adopted unanimously.

RESOLUTION #1995-38  
(Attached)

## ADJOURNMENT

The Council adjourned from Special Session and moved into Worksession at 8:18 p.m. The Council adjourned from Worksession and convened in Executive session at 9:21 p.m. to discuss (1) the acquisition of real property, (2) potential litigation, and (3) the City Administrator's evaluation.

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Executive Session 6/5/95 - Moved by Mr. Elrich; seconded by Mr Davenport. Council convened in Executive Session by unanimous vote at 9:30 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams. STAFF PRESENT: Habada, Hobbs, Sartoph, Koch. (1) Legal Counsel and staff briefed Council on matters related to land acquisition (Antonelli/Zarpas site); City Administrator was authorized to continue acquisition negotiations. (Ellis Koch departed.) (2) Staff informed Council of possible litigation; Council advised City Administrator regarding litigation. (Habada, Hobbs and Sartoph departed.) (3) Council discussed the City Administrator's evaluation (Authority: Annotated Code of Maryland, State Government Article, Sections 10-508(a)(3), (8) and (1)(i)).

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Introduced By: Councilmember Rubin

RESOLUTION 1995-38

RATIFICATION OF COLLECTIVE BARGAINING AGREEMENT  
LOCAL 400, UNITED FOOD & COMMERCIAL WORKERS UNION  
AND THE CITY OF TAKOMA PARK, MARYLAND

WHEREAS, the Negotiating Team representing the City of Takoma Park, Maryland and the Union representing City employees who are members of Local 400 of the United Food & Commercial Workers Union, AFL-CIO, have culminated negotiations with a three-year collective bargaining agreement; AND


WHEREAS, both parties request that funds necessary to implement the Agreement be approved by the Council pursuant to Section 8B-206 (g) of the Takoma Park Code; AND

WHEREAS, both parties request Council Approval of any provisions of this agreement which conflict with City Code, rule, or regulation, pursuant to Section 8B-206 (g) of the Takoma Park Code.

NOW, THEREFORE, BE IT RESOLVED, that the Council ratifies the Collective Bargaining Agreement, effective July 1, 1995 through June 30, 1998 between the City of Takoma Park and Local 400 of the United Food & Commercial Workers Union, AFL-CIO.

Dated this 5th Day of June, 1995.

ATTEST:

  
Catherine E. Sartoph  
City Clerk

INTERVIEWS, REGULAR MEETING, WORKSESSION AND EXECUTIVE SESSION  
OF THE CITY COUNCIL

Monday, June 12, 1995

Executive Session 6/5/95 - Moved by Ms. Porter; seconded by Mr Williams. Council convened in Executive Session by unanimous vote at 7:45 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Porter, Rubin, Williams. OFFICIALS ABSENT: Elrich. STAFF PRESENT: Habada, Grimmer, Hobbs, Sartoph, Phillips. Staff briefed Council about apparent suicide; no action was taken (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(ii)).

Executive Session 6/5/95 - Moved by Mr. Elrich; seconded by Mr Davenport. Council convened in Executive Session by unanimous vote at 9:30 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Elrich, Porter, Rubin, Williams. STAFF PRESENT: Habada, Hobbs, Sartoph, Koch. (1) Legal Counsel and staff briefed Council on matters related to land acquisition (Antonelli/Zarpas site); City Administrator was authorized to continue acquisition negotiations. (Ellis Koch departed.) (2) Staff informed Council of possible litigation; Council advised City Administrator regarding litigation. (Habada, Hobbs and Sartoph departed.) (3) Council discussed the City Administrator's evaluation (Authority: Annotated Code of Maryland, State Government Article, Sections 10-508(a)(3), (8) and (1)(i)).

**OFFICIALS PRESENT:**

Mayor Sharp	City Administrator Habada
Councilmember Chavez	Asst. City Administrator Hobbs
Councilmember Davenport	City Clerk Sartoph
Councilmember Elrich	Construction Specialist Kowaluk
Councilmember Porter	
Councilmember Williams	

**OFFICIAL ABSENT:**

Councilmember Rubin

The Council convened at 7:43 p.m. on Monday, June 12, 1995, in the Council Chambers of the Municipal Building, 7500 Maple Avenue, Takoma Park, Maryland.

Following the Pledge of Allegiance, these remarks were made:

**MAYOR AND COUNCIL COMMENTS**

Mr. Sharp noted that Mr. Rubin will not be present this evening, and that Mr. Williams is on his way from a meeting at the White House.

Ms. Porter commented that the Public Safety Citizens Advisory Committee (PSCAC) has held two public forums and has two more scheduled for Thursday, June 15th and June 22nd, in the Council Chambers. She encouraged residents to attend and participate. The public forums are being held to get citizen comments on public safety issues so that the PSCAC can make recommendations to the Council regarding the level and kinds of services that should be provided by the City's Police Department.

**ADDITIONAL AGENDA ITEMS**

Mr. Sharp noted that Item #2 is not really an agenda item, but is listed on the agenda (more as a notice) to announce that the Upper Westmoreland Avenue Storm Drain project will be rebid.

Without objection, Mr. Sharp moved Item #5 up to Item #2.

## ADOPTION OF MINUTES

The Council Meeting Minutes from 4/24/95 were adopted unanimously.

## CITIZEN COMMENTS

Richard Gross, Ethan Allen Avenue asked that something be done to address the truck traffic on the City's major thorough-fares. The traffic is very loud, noticable and disturbing.

Ms. Porter acknowledged his concern. She said that staff was looking into the matter of how to address the traffic on Ethan Allen Avenue, at one time, and asked that staff provide the Council with a report on this issue.

## INTERVIEWS

#1 Commission on Landlord-Tenant Affairs (COLTA). The Council interviewed four applicants for reappointment to COLTA (M. Vanita Adams, David Lurie, Enrica Morgan, Linda Rabben).

(Mr. Elrich arrived at 7:53 p.m.)

Council reached consensus to schedule the resolution effecting the reappointments for Council's consideration on June 26th.

Mr. Sharp asked Ms. Sartoph to check with Executive Director, COLTA, Danita Lee-Bryant regarding a commissioner's possible resignation.

## REGULAR MEETING

#2 (tentative) 2nd Reading Ordinance re: Upper Westmoreland Avenue Storm Drain Project. NOTE: The project will be rebid. The Ordinance accepted at first reading will not be considered for adoption.

#5 Single Reading Ordinance re: Holton Lane Improvements. Mr. Sharp noted the ordinance (moved by Chavez; seconded by Porter).

Ms. Porter asked for more information about the contingency items.

Construction Specialist Ted Kowaluk noted that the final estimate is higher than the amount budgeted for the project. Examples of contingency items are (1) a section of sidewalk that needs replacement and (2) deteriorating curb and gutter work. He said that there is approximately \$20,000 budgeted for the removal of fill under the street surface; however, he said that staff does not believe that it will be necessary to remove the fill. Funds not needed for removal of fill will be used toward the contingency items.

Mr. Davenport noted the \$7,000 difference in the bids, and asked whether Champion General Contractors had proposed to do any additional work. Mr. Kowaluk responded in the negative.

Mr. Chavez asked how soon the project will start. Mr. Kowaluk said that if the ordinance is adopted, there will be a pre-construction meeting scheduled later this week and the construction will begin next week.

The single reading ordinance was adopted unanimously by roll call vote (ABSENT: Elrich, Rubin, Williams).

ORDINANCE #1995-21  
(Attached)

#3 Single Reading Ordinance re: Library Work Space Improvements: Remodeling. Mr. Sharp noted that there are two ordinances (moved by Davenport; seconded by Chavez).

Ms. Porter asked what is the difference between the two ordinances pertaining to remodeling and furnishings.

Library Director Arnold-Robbins responded that the remodeling contract has to do with some basic construction (e.g. removing the counters from the back workroom, moving a sink and cabinets, electrical work, painting, etc.).

Ms. Porter questioned the partial bid on furnishings. Mr. Sharp asked that this comment be saved until discussion of the next ordinance.

The single reading ordinance was adopted unanimously by roll call vote (ABSENT: Williams, Rubin, Elrich).

ORDINANCE #1995-22  
(Attached)

#3 (continued) Single Reading Ordinance re: Library Work Space Improvements: Furnishings. (moved by Porter; seconded by Davenport) Ms. Porter questioned the partial bid received on the furnishings.

Ms. Arnold-Robbins explained why the Request For Proposal (RFP) was open to complete and partial bids. She said, however, that the partial bid posed the problem of different furnishings being delivered at different times. Timing and coordination became important factors in choosing a vendor to provide all of the furnishings (complete bid). She noted that only one vendor submitted a partial bid.

Ms. Porter clarified that the RFP was put out such that a vendor could bid on either the complete or partial project, but that a partial bid would have only been accepted had the price been considerably lower.

The single reading ordinance was adopted unanimously by roll call vote (ABSENT: Williams, Rubin, Elrich).

ORDINANCE #1995-23  
(Attached)

Mr. Sharp declared a three minute recess to allow for Councilmembers to return to the Council Chambers.

(Mr. Elrich returned; Mr. Williams arrived at 8:15 p.m.)

#4 Resolution re: Nuclear-Free Zone Waiver for Lighting Upgrade Project. Mr. Sharp asked Ms. Braithwaite to respond to any questions regarding her memorandum dated June 8th. (moved by Williams; seconded by Davenport)

Mr. Elrich said that he continues to be in disbelief about the price difference between the two companies (non-nuclear and nuclear), and asked if there has been any negotiations regarding the prices.

Ms. Braithwaite said that these are their government contract prices.

Reuben Snipper, Erie Avenue (NFZ Committee) observed that previous waiver resolutions have been specific about what is being purchased, and suggested that the deleted language regarding specific vendors be added back into the resolution. He said that he is pleased to see the statement "...maximizing use of nuclear-free materials..." in the resolution.

Carl Smith (NFZ Committee) said that the NFZ Ordinance allows waivers for safety issues but not for financial reasons. It seems that the City is backing off its stand of taking the moral high ground (compliance with the NFZ Ordinance), by not sticking to the ordinance. He remarked that once off the "high ground" it will be hard to get back on that ground.

Hank Cox, Piney Branch Road thanked the Council for the wonderful job that has been done on Piney Branch Road. He said that he thinks the Council is trying to be rational (in this matter), and that he is here to show support for that approach. He said that when he hears about the Council discussing whether or not to save tens of thousands of dollars, as related to adhering to the NFZ ordinance, he feels compelled to point out how this ordinance will

affect how his tax dollars are being spent. Mr. Cox said that it is "nutty" that his tax dollars are going to things like this, and concluded that "it is over" (Cold War) and time to get out of this nuclear-free campaign.

Miles McCord, 1712 Carroll Avenue (NFZ Committee) commented on the memorandum. He said he likes the idea of still staying with the non-nuclear alternatives, as much as possible. In terms of this being a struggle between environmental and nuclear issues, both issues are still pertinent. These concerns are generational issues, and even though we have come a long way in regards to nuclear weapons, we do not want this to again become an issue for a future generation. Mr. McCord cautioned that the City should therefore continue to uphold the NFZ ordinance.

Kay Dellinger, Hampshire Towers said that she believes the NFZ Ordinance is needed. The City should continue to abide by the NFZ Ordinance. Most people in Takoma Park support energy conservation; however, lighting is not a health or safety issue. These are the reasons for a waiver. She suggested that the City proceed with purchasing and installing only the non-nuclear bulbs and ballasts, that meet the specifications, and wait to complete the project until a non-nuclear vendor produces the remainder of the needed bulbs and ballasts. She said that although some people believe that the Cold War is over, it is not.

Mr. Elrich questioned the need for a waiver. He noted that staff has identified non-nuclear sources for some of the bulbs and ballasts, and that what we are left with are ballasts for which there are no non-nuclear alternatives. Mr. Elrich stated that currently, there are only "nuclear" bulbs and ballasts in place, and that we are faced with a situation where there is no choice but to buy the "nuclear" ballasts. He asked how current replacements (nuclear products) are different than installation of nuclear products that meet the proposal specifications.

Ms. Braithwaite responded. She said that the City Administrator and she both recognize that this issue has gotten a lot of attention, and since it is associated with a "new" lighting proposal, there needs to be clear direction from the Council regarding the mix of non-nuclear and nuclear products.

Mr. Elrich said he understands, but added that the Council has given direction in the past without adopting a resolution or ordinance. He noted that the NFZ Ordinance does state that products must meet the specifications of the project. He commented that in some sense this debate has become a perversion of the intention of the ordinance, and to a degree, a perversion of common sense. He asked what is the effect of the proposed non-nuclear/nuclear mix on the chiller rebate.

Ms. Braithwaite said that the proposal, as outlined in the memorandum, does not adversely affect the rebates.

Mr. Snipper said that in order to make a nuclear purchase, you need a waiver. He clarified that the reasons stated by Mr. Elrich are the justifications for granting a waiver.

Mr. Sharp questioned the difference between non-nuclear and nuclear products in the current proposal. Ms. Braithwaite responded.

Ms. Porter stated for the record that the Council is not trying to violate the NFZ Ordinance. This waiver is within the conditions of the ordinance, and cost can be taken into account as long as it is not the only factor. She said that the Council is faced with a very difficult issue of using non-nuclear materials on the one hand, and the environmental issue of using more energy efficient lighting on the other. Ms. Porter emphasized that this is not an issue of only one moral stand--there are two "goods" here. The process of having to look for non-nuclear vendors has turned-up some manufacturers who supply the necessary products, and the project design has been bettered in some ways. She commented that the process to get to this point has been very useful and has been done for a purpose that will be beneficial in the end.

Mr. Williams remarked that the "end" is the proposal changing from all nuclear, to all non-nuclear bulbs and almost all non-nuclear ballasts.

Mr. Sharp added a remark about the PEPCO rebate.

Mr. Davenport supported a continued search for future non-nuclear ballast manufacturers.

Mr. Levy commented in opposition to Mr. Cox's remarks, quoting from a government report about the U.S. Nuclear Arsenal. He stated that even with a reduction, the U.S. will still have a considerable arsenal of nuclear weapons.

Mr. Elrich remarked about an article he read about a company developing a better nuclear war-head. He said that he does believe that environmental issues are important, and that it is hard to sacrifice one issue to the other. Environmental concerns are as legitimate and important as anything else. Therefore, the City will continue to have to find ways to balance the issues, because we cannot proceed with a one-track mind set. Mr. Elrich stated that he does not feel that the City has backed down from its commitment to the NFZ Ordinance, but that we have done everything that anyone can reasonably ask us to do. He said he will happily vote for the resolution.

The resolution was adopted unanimously (ABSENT: Rubin).

RESOLUTION #1995-39  
(Attached)

#6 2nd Reading Ordinance re: FY96 City Budget. (moved by Porter; seconded by Chavez) There was no Council discussion.

The ordinance was adopted unanimously by roll call vote (ABSENT: Rubin).

ORDINANCE #1995-15  
(Attached)

#7 2nd Reading Ordinance re: FY96 Storm Water Budget. Without objection, Council moved into session as the Storm Water Management Board, simultaneously. (moved by Davenport; seconded by Porter)

The ordinance was adopted unanimously by roll call vote (ABSENT: Rubin).

ORDINANCE #1995-16  
(Attached)

The Council adjourned from the Storm Water Management Board session.

#8 2nd Reading Ordinance re: FY96 Tax Rate. (moved by Porter; seconded by Elrich) Ms. Porter pointed out that this is a tax rate 2 cents higher than last year's, but that on the average, the amount a person pays will go down, because this rate is still 2 cents lower than the Constant Yield Tax Rate.

The ordinance was adopted unanimously by roll call vote (ABSENT: Rubin).

ORDINANCE #1995-17  
(Attached)

#9 2nd Reading Ordinance re: Employee Pay Plan. (moved by Elrich; seconded by Davenport)

The ordinance was adopted unanimously by roll call vote (ABSENT: Rubin).

ORDINANCE #1995-18  
(Attached)

#10 2nd Reading Ordinance re: Police Pay Plan. (moved by Williams; seconded by Porter)

The ordinance was adopted unanimously by roll call vote (ABSENT: Rubin).

ORDINANCE #1995-19  
(Attached)

#11 2nd Reading Ordinance re: Executive Pay Plan. (moved by Chavez; seconded by Davenport)

The ordinance was adopted unanimously by roll call vote (ABSENT: Rubin).

ORDINANCE #1995-20  
(Attached)

**ADJOURNMENT**

The Council adjourned to Worksession at 8:48 p.m. Following the Worksession, the Council moved into Executive Session at 9:00 p.m., and later adjourned for the evening.

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Executive Session 6/12/95 - Moved by Ms. Porter; seconded by Mr Davenport. Council convened in Executive Session by unanimous vote at 9:00 p.m., in the Conference Room. OFFICIALS PRESENT: Sharp, Chavez, Davenport, Elrich, Porter, Williams. OFFICIALS ABSENT: Rubin. Council continued work on the City Administrator's evaluation--not yet final (Authority: Annotated Code of Maryland, State Government Article, Section 10-508(a)(1)(i)).

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Introduced by: Councilmember Williams

RESOLUTION #1995 - 39

WAIVING SECTION 8A-6(a) AND (b) OF THE NUCLEAR-FREE ZONE ACT TO PURCHASE LIGHTING MATERIALS

WHEREAS, on January 30, 1995, the City Administrator notified the Nuclear-Free Takoma Park Committee of the Council's intent to consider a waiver resolution of the Nuclear Free Zone Act to purchase lighting materials - specifically fluorescent lamps and ballasts - to upgrade lighting in the City Building and Library; AND

WHEREAS, City staff has advised City Council, and the Nuclear-Free Takoma Park Committee concurs, that the major producers of fluorescent lamps and ballasts are on the list of nuclear weapons producers; AND

WHEREAS, the list of nuclear weapons producers has been referenced by the City and the Committee for use in determining those companies that the City cannot, under law, purchase or lease products from; AND

WHEREAS, in accordance with the provisions of the Nuclear-Free Zone Act, Section 8A, the Public Works Department and its staff has worked cooperatively with the Committee and has conducted research to determine reasonable alternative sources for purchasing the lighting materials; AND

WHEREAS, the Committee found and the City Administrator concurs that the City made a diligent, good faith search for lighting products; AND

WHEREAS, in accordance with Section 8A-6(f)(2)(D) and (E) of the Nuclear Free Zone Act, two of the factors considered in determining the reasonableness of an alternative to a non-nuclear source are (1) "the availability of goods or services from a non-nuclear-weapons' producer reasonably meeting the specification or requirements of the necessary good or service, and (2) quantifiable substantial additional costs that would result from the use of a good or service of a non-nuclear-weapons' producer, provided that this factor shall not become the sole consideration;" AND

WHEREAS, it has been determined that non-nuclear products do not meet the specifications of the proposed lighting upgrade in all cases, and that there are considerable cost considerations in not meeting the energy efficiency requirements of the lighting upgrade; AND

WHEREAS, the City Administrator recommends that in fixtures where the non-nuclear manufactured lamps and ballasts meet the lighting requirements, they be used, and in fixtures where requirements are met by products only produced by companies which are also involved in nuclear weapon production, their product be used.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND, THAT the City Administrator is hereby authorized to proceed with the purchase and installation of energy efficient lighting and the choice of manufacturer will be based on maximizing use of nuclear-free materials, within energy efficient lighting specifications; AND

BE IT FURTHER RESOLVED THAT, the City Council has considered all factors specified in Sec. 8A-6(f)(2) and finds that it is not reasonable to find an alternative source for all lighting needs; AND

BE IT FURTHER RESOLVED THAT, the City Council reaffirms its commitment to maximizing the use of the products of non-nuclear companies; AND

BE IT FURTHER RESOLVED THAT, in accordance with the provisions of the Nuclear Free Zone Act of 1983, as amended, this Waiver Resolution is hereby passed by a majority vote of the Council as follows:

AYE: Sharp, Chavez, Davenport, Elrich, Porter, Williams

NAY: None

ABSTAIN: None

ABSENT: Rubin

Dated this 12th day of June, 1995.

Introduced by: Councilmember Elrich

1st Reading: 5/30/95  
2nd Reading: 6/12/95

ORDINANCE NO. 1995-15

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR 1996, BEGINNING JULY 1, 1995 AND ENDING JUNE 30, 1996.

WHEREAS, in accordance with Article IX of the Charter of the City of Takoma Park, it is the determination of the City Council that the annual appropriation Ordinance should be enacted to budget and appropriate funds for the several objects and purposes for which the City must provide in the fiscal year beginning July 1, 1995 and ending June 30, 1996 (FY96);

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND,

SECTION 1. THAT from and out of the monies and balances known to be in the General Fund of the City of Takoma Park, Maryland, and from all monies anticipated to come into all funds during the twelve (12) month period ending June 30, 1996, there shall be, and hereby are appropriated General Fund revenues of TEN MILLION THREE HUNDRED NINETY FIVE THOUSAND NINE HUNDRED TEN DOLLARS (\$10,395,910) and a transfer of prior year surplus and/or Unappropriated Reserve balance to the FY96 budget as follows:

Taxes-Local	\$ 5,276,195
Taxes-State Shared	1,250,000
License & Permits	15,700
Revenue from other Agencies	1,989,465
Service Charges	454,300
Fines & Forfeitures	163,000
Miscellaneous	219,250

SUBTOTAL \$ 9,367,910

Prior year surplus/unappropriated reserve	884,000
Equipment replacement reserve	144,000

TOTAL \$10,395,910

SECTION 2. THAT the City Administrator is hereby authorized to transfer funds to the FY96 budget from the prior year surplus and/or Unappropriated Reserve in the amount of \$884,000.

SECTION 3. THAT there shall be, and hereby are appropriated the following sums for use by the several departments and offices of the City, and for the objects and purposes for which the City must provide during the 1995-96 Fiscal Year:

Public Works	\$2,599,676
Police Department	\$2,756,903
Non-Departmental	\$1,141,720
Capital Expenditures (General Fund)	\$ 547,000
Capital Expenditures (Equipment Reserves)	\$ 144,000
General Government	\$1,086,263
Housing & Community Development	\$ 712,544
Recreation	\$ 542,874
Library	\$ 483,197
Media	\$ 91,000
Debt Service	\$ 86,967
General Fund Transfer to Special Revenue Fund	\$ 63,304

**TOTAL EXPENDITURES** **\$10,255,448**

**AUTHORIZED FY96 EXPENDITURES** **\$10,255,448**

SECTION 4. THAT in accordance with Article IX of the City Charter, Section 903, there is included in the NonDepartmental Budget, a General Contingency Account appropriation of THIRTY EIGHT THOUSAND DOLLARS (\$38,000);

SECTION 5. THAT in accordance with Resolution 1995-16, effective May 16, 1995, which amended Article IX of the City Charter, Section 904 (a), the City Administrator is hereby authorized to transfer all principal and interest (projected to be \$570,340 at the close of FY95) in excess of the \$250,000 Emergency Reserve fund balance required to the Equipment Replacement Reserve;

SECTION 6. THAT a Special Revenue Fund is authorized for receipt of and expenditure of Federal or State funded projects, with Revenues of NINE HUNDRED EIGHT THOUSAND TWO HUNDRED SIXTY DOLLARS (\$908,260) inclusive of a General Fund Transfer of SIXTY THREE THOUSAND THREE HUNDRED FOUR DOLLARS (\$63,304),

and an Expenditure appropriation of NINE HUNDRED EIGHT THOUSAND TWO HUNDRED SIXTY DOLLARS (\$908,260).

- SECTION 7. THAT the Council hereby ratifies the stormwater management budget for FY96 adopted by the Stormwater Board by Ordinance #1995-16.
- SECTION 8. THAT the approved FY96 Budget Document is to be made a part of this Ordinance by reference.
- SECTION 9. THAT stormwater management projects that are declared to be emergencies as defined by the City Council, in accordance with the City Charter, may be funded through the Emergency Reserve or as otherwise directed by the City Council.
- SECTION 10. THAT should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.
- SECTION 11. THAT this Ordinance shall become effective July 1, 1995.

Adopted this 12th day of June, 1995, by Roll Call Vote:

AYES: Sharp, Chavez, Davenport, Elrich, Porter, Williams  
NAYS: None  
ABSTAIN: None  
ABSENT: Rubin

Introduced by: Councilmember Davenport

1st Reading: 5/30/95

2nd Reading: 6/12/95

ORDINANCE NO. 1995-16

AN ORDINANCE TO ADOPT A STORM WATER MANAGEMENT BUDGET FOR FISCAL YEAR 96 BEGINNING JULY 1, 1995 AND ENDING JUNE 30, 1996.

WHEREAS, Article XII, Section 1201 of the Takoma Park City Charter states that the Council shall by ordinance, be designated the Stormwater Board with all the powers therein, AND;

WHEREAS, Article 29, Section 3-205 of the Annotated Code of Maryland authorizes the levying of an ad valorem tax for stormwater management by the City, AND;

WHEREAS, Article XII, Section 1205 of the Takoma Park City Charter states that the Stormwater Board is empowered to provide by ordinance for an ad valorem tax on property in order to raise sufficient annual revenue to pay for stormwater management activities in the City; AND

WHEREAS, the Stormwater Board desires to maintain a Storm Water Management Fund for the collection and payment of revenues and expenditures as it deems necessary to provide for the construction, maintenance, operations and repair of the storm water drainage system in the City.

NOW THEREFORE BE IT ORDAINED BY THE STORMWATER BOARD OF THE CITY OF TAKOMA PARK

SECTION 1. THAT for the 1995-96 fiscal year, an ad valorem tax of 3 cents per \$100.00 on assessed property valuation in the City is hereby established to be used for stormwater management activities.

SECTION 2. THAT a Stormwater Management Fund as previously established by Ordinance No. 1990-25 shall be maintained into which shall be deposited:

(a) All the receipts and revenues from ad valorem taxes, user charges, and utility fees levied by the City to pay for stormwater management; AND

(b) All charges, fees, fees-in-lieu, and other contributions received from any person or governmental entity in connection with stormwater management activities or practices.

O-96STRM.

SECTION 3. THAT from and out of the monies known to be received from the 3 cent ad valorem tax established by Section 1 of this Ordinance and levied by the FY96 Tax Rate Ordinance (Ordinance No. 1995- ), and from all monies to come into all funds during the twelve (12) month period ending June 30, 1996, there shall be, and hereby are appropriated Storm Water Management Fund revenues of \$193,115 as follows:

Local Taxes	\$ 89,051
Stormwater Permit fees	5,000
Appropriated Surplus	68,000
EDA Grant	31,064
TOTAL	\$193,115

SECTION 4. THAT the City Administrator is hereby authorized to transfer funds to the FY96 stormwater budget from the prior year surplus and/or unappropriated reserve in the amount of \$68,000.

SECTION 5. THAT there shall be, and hereby are appropriated the following sums for use for the support of storm water management activities during the 1995-96 Fiscal Year:

Storm Water Management Expenditures	\$193,115
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SECTION 6. THAT stormwater management projects that are declared to be emergencies as defined by the City Council in accordance with the City Charter, may be funded through the Emergency Reserve or other reserves as may be designated by the City Council.

SECTION 7. THAT the approved FY96 budget document with account listings is to be incorporated as a part of this Ordinance by reference.

SECTION 8. THAT should any section of this Ordinance be determined to be invalid, such invalidity shall not affect any other sections.

Page Three  
STORM WATER MANAGEMENT BUDGET ORDINANCE

SECTION 9. THAT this Ordinance shall become effective  
July 1, 1995.

Adopted this 12th day of June, 1995 by Roll Call Vote of the  
Stormwater Board for the City of Takoma Park:

AYES: Sharp, Chavez, Davenport, Elrich, Porter, Williams

NAYS: None

ABSTAIN: None

ABSENT: Rubin



Introduced by: Councilmember Elrich

1st Reading: 5/30/95  
2nd Reading: 6/12/95

**ORDINANCE NO. 1995-17**

**AN ORDINANCE TO ESTABLISH THE TAX RATE FOR THE FISCAL YEAR 1996 BEGINNING JULY 1, 1995 AND ENDING JUNE 30, 1996.**

WHEREAS, in accordance with Section 6-303 of the Tax Property Article of the Annotated Code of Maryland, the City Council is mandated to establish a municipal incorporation tax rate on or before the first day of July of each year; AND

WHEREAS, the Council sitting as the Water and Sewer Board, by Ordinance No. 1995-16 set an ad valorem tax on property at \$0.03 per \$100 assessed valuation for storm water management.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT Section 11A-2, Chapter 11A, "Taxation", of the City Code of Takoma Park, Maryland, 1972 as amended, be further amended as follows:

Section 11A-2. Annual tax levy on real and personal property.

(a) Effective July 1, 1995, all real and personal property which is subject to taxation by the City of Takoma Park shall be subject to a tax on the assessed value of such real and personal property as such value is determined by the State Department of Assessments and Taxation, at the rate of:

General City services:	\$1.544
Fire service (Montgomery County rate):	.243
Stormwater Management Fund:	<u>.030</u>
Total	\$1.817

per \$100.00 of assessed valuation.

SECTION 2. THAT this Ordinance shall be effective July 1, 1995.

Adopted this 12th day of June, 1995.

AYES: Sharp, Chavez, Davenport, Elrich, Porter, Williams  
NAYS: None  
ABSTAIN: None  
ABSENT: Rubin

Introduced by: Councilmember Porter

First Reading: 5/30/95  
Second Reading: 6/12/95  
Effective: 7/1/95

**ORDINANCE NO. 1995-18**

Short Title: Pay scale for Employees.

AN ORDINANCE TO:

(a) Amend the pay scale for employees for FY 96, tied to the position classification schedule as adopted by Ordinance No. 1986-53, as amended.

WHEREAS, the City has negotiated a contract with AFSCME Local 3399, that includes a 2.5% cost-of-living adjustment for FY 1996;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. PAY SCALE PLAN.

Ordinance No. 1991-14 is hereby amended and the following pay scale is adopted as the new Pay Scale Plan for the City for the Fiscal Year beginning July 1, 1995 and ending June 30, 1996. This Pay Scale Plan will become effective July 1, 1995, and will remain in effect until amended or repealed by the City Council:

(a) Recreation attendant. The pay scale for recreation attendants is as follows:

STEP	A	B	C	D	E	F
	12,649	13,091	13,549	14,024	14,514	15,022
	G	H	I	J	K	
	15,548	16,092	16,656	17,239	17,842	

(b) Crossing guard. The pay scale for crossing guards is as follows:

STEP:	A	B	C
	\$10.54/hour	\$11.38/hour	\$12.29/hour

Page Two  
FY 95 Pay Plan Ordinance

(c) All other employees. The pay scale for all other employees is as shown on the following scale: (see next page).

(d) Special rule for employees who are represented by a certified employee organization.

All employees represented by a certified employee organization will be paid according to the terms of the collective bargaining agreement, as it was adopted by Council pursuant to the provisions in Article 2 of Chapter 8B of the City Code.

(e) Police officers shall be paid on a separate pay scale as established under a separate ordinance, and as agreed upon by the terms of a collective bargaining agreement negotiated with United Food and Commercial Workers Union, Local 400.

Adopted this 12th day of June, 1995 by roll call vote as follows:

AYES: Sharp, Chavez, Davenport, Elrich, Porter, Williams  
NAYS: None  
ABSTAIN: None  
ABSENT: Rubin

O-96PYP

FY - 96 EMPLOYEE PAY PLAN (2.5% COLA)

		A	B	C	D	E	F	G	H	I	J	K
GRADE	Starting Pay	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	ANNUAL	BIENNIAL	BIENNIAL	BIENNIAL	BIENNIAL	BIENNIAL
	Percentage Increase	4.25%	4%	3.75%	3.5%	3.25%	3%	2.75%	2.5%	2.25%	2.10%	
1	Annual	\$16,611.02	\$17,316.99	\$18,009.67	\$18,685.03	\$19,339.01	\$19,967.52	\$20,566.55	\$21,132.13	\$21,660.43	\$22,147.79	\$22,612.90
	Weekly	\$319.44	\$333.02	\$346.34	\$359.33	\$371.90	\$383.99	\$395.51	\$406.39	\$416.55	\$425.92	\$434.86
	Hourly	\$7.99	\$8.33	\$8.66	\$8.98	\$9.30	\$9.60	\$9.89	\$10.16	\$10.41	\$10.65	\$10.87
2	Annual	\$17,856.85	\$18,615.76	\$19,360.39	\$20,086.41	\$20,789.43	\$21,465.09	\$22,109.04	\$22,717.04	\$23,284.97	\$23,808.88	\$24,308.86
	Weekly	\$343.40	\$358.00	\$372.32	\$386.28	\$399.80	\$412.79	\$425.17	\$436.87	\$447.79	\$457.86	\$467.48
	Hourly	\$8.59	\$8.95	\$9.31	\$9.66	\$9.99	\$10.32	\$10.63	\$10.92	\$11.19	\$11.45	\$11.69
3	Annual	\$19,196.11	\$20,011.94	\$20,812.42	\$21,592.89	\$22,348.64	\$23,074.97	\$23,767.22	\$24,420.82	\$25,031.34	\$25,594.54	\$26,132.03
	Weekly	\$369.16	\$384.85	\$400.24	\$415.25	\$429.78	\$443.75	\$457.06	\$469.63	\$481.37	\$492.20	\$502.54
	Hourly	\$9.23	\$9.62	\$10.01	\$10.38	\$10.74	\$11.09	\$11.43	\$11.74	\$12.03	\$12.31	\$12.56
4	Annual	\$20,635.82	\$21,512.84	\$22,373.35	\$23,212.35	\$24,024.79	\$24,805.59	\$25,549.76	\$26,252.38	\$26,908.69	\$27,514.13	\$28,091.93
	Weekly	\$396.84	\$413.71	\$430.26	\$446.39	\$462.02	\$477.03	\$491.34	\$504.85	\$517.47	\$529.12	\$540.23
	Hourly	\$9.92	\$10.34	\$10.76	\$11.16	\$11.55	\$11.93	\$12.28	\$12.62	\$12.94	\$13.23	\$13.51
5	Annual	\$22,183.50	\$23,126.30	\$24,051.36	\$24,953.28	\$25,826.65	\$26,666.01	\$27,465.99	\$28,221.31	\$28,926.84	\$29,577.69	\$30,198.83
	Weekly	\$426.61	\$444.74	\$462.53	\$479.87	\$496.67	\$512.81	\$528.19	\$542.72	\$556.29	\$568.80	\$580.75
	Hourly	\$10.67	\$11.12	\$11.56	\$12.00	\$12.42	\$12.82	\$13.20	\$13.57	\$13.91	\$14.22	\$14.52
6	Annual	\$23,847.27	\$24,860.78	\$25,855.21	\$26,824.78	\$27,763.64	\$28,665.96	\$29,525.94	\$30,337.91	\$31,096.35	\$31,796.02	\$32,463.74
	Weekly	\$458.60	\$478.09	\$497.22	\$515.86	\$533.92	\$551.27	\$567.81	\$583.42	\$598.01	\$611.46	\$624.30
	Hourly	\$11.47	\$11.95	\$12.43	\$12.90	\$13.35	\$13.78	\$14.20	\$14.59	\$14.95	\$15.29	\$15.61
7	Annual	\$25,635.81	\$26,725.33	\$27,794.35	\$28,836.64	\$29,845.92	\$30,815.91	\$31,740.39	\$32,613.25	\$33,428.58	\$34,180.72	\$34,898.52
	Weekly	\$493.00	\$513.95	\$534.51	\$554.55	\$573.96	\$592.61	\$610.39	\$627.18	\$642.86	\$657.32	\$671.13
	Hourly	\$12.32	\$12.85	\$13.36	\$13.86	\$14.35	\$14.82	\$15.26	\$15.68	\$16.07	\$16.43	\$16.78
8	Annual	\$27,558.50	\$28,729.73	\$29,878.92	\$30,999.38	\$32,084.36	\$33,127.10	\$34,120.92	\$35,059.24	\$35,935.72	\$36,744.28	\$37,515.91
	Weekly	\$529.97	\$552.49	\$574.59	\$596.14	\$617.01	\$637.06	\$656.17	\$674.22	\$691.07	\$706.62	\$721.46
	Hourly	\$13.25	\$13.81	\$14.36	\$14.90	\$15.43	\$15.93	\$16.40	\$16.86	\$17.28	\$17.67	\$18.04
9	Annual	\$29,625.39	\$30,884.46	\$32,119.84	\$33,324.34	\$34,490.89	\$35,611.64	\$36,679.99	\$37,688.69	\$38,630.90	\$39,500.10	\$40,329.60
	Weekly	\$569.72	\$593.93	\$617.69	\$640.85	\$663.28	\$684.84	\$705.38	\$724.78	\$742.90	\$759.62	\$775.57
	Hourly	\$14.24	\$14.85	\$15.44	\$16.02	\$16.58	\$17.12	\$17.63	\$18.12	\$18.57	\$18.99	\$19.39
10	Annual	\$31,847.29	\$33,200.80	\$34,528.83	\$35,823.66	\$37,077.49	\$38,282.51	\$39,430.98	\$40,515.34	\$41,528.22	\$42,462.61	\$43,354.32
	Weekly	\$612.45	\$638.48	\$664.02	\$688.92	\$713.03	\$736.20	\$758.29	\$779.14	\$798.62	\$816.59	\$833.74
	Hourly	\$15.31	\$15.96	\$16.60	\$17.22	\$17.83	\$18.41	\$18.96	\$19.48	\$19.97	\$20.41	\$20.84
11	Annual	\$34,235.84	\$35,690.86	\$37,118.49	\$38,510.44	\$39,858.30	\$41,153.70	\$42,388.31	\$43,553.99	\$44,642.84	\$45,647.30	\$46,605.89
	Weekly	\$658.38	\$686.36	\$713.82	\$740.59	\$766.51	\$791.42	\$815.16	\$837.58	\$858.52	\$877.83	\$896.27
	Hourly	\$16.46	\$17.16	\$17.85	\$18.51	\$19.16	\$19.79	\$20.38	\$20.94	\$21.46	\$21.95	\$22.41
12	Annual	\$36,803.52	\$38,367.67	\$39,902.38	\$41,398.72	\$42,847.68	\$44,240.22	\$45,567.43	\$46,820.54	\$47,991.05	\$49,070.85	\$50,101.34
	Weekly	\$707.76	\$737.84	\$767.35	\$796.13	\$823.99	\$850.77	\$876.30	\$900.39	\$922.90	\$943.67	\$963.49
	Hourly	\$17.69	\$18.45	\$19.18	\$19.90	\$20.60	\$21.27	\$21.91	\$22.51	\$23.07	\$23.59	\$24.09

Introduced by: Councilmember Williams

First Reading: 5/30/95  
Second Reading: 6/12/95  
Effective: 7/1/95

**ORDINANCE NO. 1995-19**

Short Title: Pay Scale for Police.

AN ORDINANCE TO:

Establish a pay scale for police officers for FY 96, tied to the position classification schedule as adopted by Ordinance No. 1986-53, as amended.

WHEREAS, the City has negotiated a contract with Local 400 of the United Food and Commercial Workers Union, that establishes a separate pay table that incorporates a 2.5% cost-of-living adjustment for FY 1996;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT:

SECTION 1. PAY SCALE PLAN.

Ordinance No. 1991-14 is hereby amended and the following pay scale (see next page) is adopted as the new Pay Scale Plan for the City's Police Officers for the Fiscal Year beginning July 1, 1995 and ending June 30, 1996. This Pay Scale Plan will become effective July 1, 1995, and will remain in effect until amended or repealed by the City Council:

(a) Special rule for employees who are represented by a certified employee organization.

All employees represented by a certified employee organization will be paid according to the terms of the collective bargaining agreement, as it was adopted by Council pursuant to the provisions in Article 2 of Chapter 8B of the City Code.

Adopted this 12th day of June, 1995 by roll call vote as follows:

AYES: Sharp, Chavez, Davenport, Elrich, Porter, Williams  
NAYS: None  
ABSTAIN: None  
ABSENT: Rubin

POLICE PAY SCALE FY 96  
2.5% COLA

GRADE	STEP % INCR	A STARTING	B 4.25%	C 4.00%	D 3.75%	E 3.50%	F 3.25%	G 3.00%	H 2.75%	I 2.50%	J 2.25%	K 2.10%
CADET 6	ANNUAL WEEKLY HOURLY	25,542.57 491.20 12.28										
PRIVATE 7	ANNUAL WEEKLY HOURLY	27,458.26 528.04 13.20	28,625.24 550.49 13.76	29,770.25 572.50 14.31	30,886.63 593.97 14.85	31,967.67 614.76 15.37	33,006.62 634.74 15.87	33,996.81 653.78 16.34	34,931.73 671.76 16.79	35,805.02 688.56 17.21	36,610.63 704.05 17.60	37,379.46 718.84 17.97
PFC 8	ANNUAL WEEKLY HOURLY	29,517.63 567.65 14.19	30,772.13 591.77 14.79	32,003.02 615.44 15.39	33,203.13 638.52 15.96	34,365.24 660.87 16.52	35,482.11 682.35 17.06	36,546.58 702.82 17.57	37,551.61 722.15 18.05	38,490.40 740.20 18.50	39,356.43 756.85 18.92	40,182.92 772.75 19.32
CORPORAL 9	ANNUAL WEEKLY HOURLY	31,731.46 610.22 15.26	33,080.04 636.15 15.90	34,403.25 661.60 16.54	35,693.37 686.41 17.16	36,942.64 710.44 17.76	38,143.27 733.52 18.34	39,287.57 755.53 18.89	40,367.98 776.31 19.41	41,377.18 795.71 19.89	42,308.16 813.62 20.34	43,196.63 830.70 20.77
SERGEANT 10	ANNUAL WEEKLY HOURLY	34,111.32 655.99 16.40	35,561.05 683.87 17.10	36,983.49 711.22 17.78	38,370.37 737.89 18.45	39,713.33 763.72 19.09	41,004.02 788.54 19.71	42,234.14 812.19 20.30	43,395.58 834.53 20.86	44,480.46 855.39 21.38	45,481.28 874.64 21.87	46,436.38 893.01 22.33
LIEUTENANT 12	ANNUAL WEEKLY HOURLY	39,419.89 758.07 18.95	41,095.24 790.29 19.76	42,739.04 821.90 20.55	44,341.76 852.73 21.32	45,893.72 882.57 22.06	47,385.27 911.26 22.78	48,806.82 938.59 23.46	50,149.01 964.40 24.11	51,402.74 988.51 24.71	52,559.30 1010.76 25.27	53,663.04 1031.98 25.80

Introduced by: Councilmember Chavez

1st Reading: 5/30/95  
2nd Reading: 6/12/95  
Effective: 7/1/95

**ORDINANCE NO. 1995-20**

Short Title: An Ordinance to Amend the Executive Pay Plan

AN ORDINANCE TO:

- (a) Change the Executive Pay Plan to provide for a 2.5% adjustment to the Pay Plan for FY 96.

BE IT ORDAINED BY THE CITY COUNCIL OF TAKOMA PARK, MARYLAND THAT THIS ORDINANCE amends the Executive Pay Plan as adopted by Ordinance 1990-28; this ordinance is to be effective July 1, 1995:

SECTION 1. PAY SCALE PLAN

Positions listed in Ordinance No. 1986-53, as amended, designated as Executive 1 shall be compensated at the level of Executive 1; those listed in Executive 2 shall be compensated at the level of Executive 2; those listed as being in Executive 3 shall be compensated at the level of Executive 3, and those listed in Executive 4 shall be compensated at the level of Executive 4.

SECTION 2. IMPLEMENTATION OF PAY SCALE PLAN

- (a) Effective July 1, 1987, Senior Management staff in Grades Executive 1 through Executive 4 will be paid in accordance with the pay scale for:
  - (1) the grades that their job classifications have been allocated;
  - (2) with the exact amount to be determined by the City Administrator with the provision that none of the executives will receive a salary decrease as a result of the initial implementation of this pay plan.

SECTION 3. GUIDANCE FOR PLACING EXECUTIVE STAFF IN THE PAY SYSTEM.

(a) 1st Quartile - Hiring Bracket:

Individuals are generally hired within this quartile with the exact place to be determined by the City Administrator based on the experience and subject matter knowledge of the appointee. Subsequent merit increases should continue within the quartile with the amount depending upon the results of performance evaluation(s). Further guidance to the City Administrator for differentiating between amounts will be given in the Personnel Regulations.

(b) 2nd Quartile - Performance Step:

Individuals are granted raises into this area for average and above average performance after they have learned to perform their functions thoroughly and have proven their ability to manage their units.

(c) 3rd Quartile - Performance and Longevity Step:

Individuals are placed in this step normally after they have acquired many years of experience in managing their units and have received ratings of average and above consistently. Most executives will not ever be awarded pay greater than the maximum allowed for this quartile.

(d) 4th Quartile - Superior Performance

Individuals normally are awarded pay in this quartile only if they perform clearly in a superior manner and/or if they have been recognized by a national professional organization as one of the leaders in the field.



SECTION 4. EXECUTIVE PAY SCALE

Executive 1:	1st Quartile = [35,618 - 39,625]	36,508 - 40,616
	2nd Quartile = [39,626 - 43,632]	40,617 - 44,723
	3rd Quartile = [43,633 - 47,640]	44,724 - 48,831
	4th Quartile = [47,641 - 51,647]	48,832 - 52,938
Executive 2:	1st Quartile = [38,290 - 42,598]	39,247 - 43,662
	2nd Quartile = [42,599 - 46,905]	43,663 - 48,078
	3rd Quartile = [46,906 - 51,213]	48,079 - 52,493
	4th Quartile = [51,214 - 55,520]	52,494 - 56,908
Executive 3:	1st Quartile = [41,162 - 45,793]	42,191 - 46,938
	2nd Quartile = [45,794 - 50,424]	46,939 - 51,685
	3rd Quartile = [50,425 - 55,055]	51,686 - 56,431
	4th Quartile = [55,056 - 59,686]	56,432 - 61,178
Executive 4:	1st Quartile = [44,249 - 49,227]	45,355 - 50,458
	2nd Quartile = [49,228 - 54,205]	50,459 - 55,560
	3rd Quartile = [54,206 - 59,183]	55,561 - 60,663
	4th Quartile = [59,184 - 64,161]	60,664 - 65,765

SECTION 5. COST OF LIVING ADJUSTMENTS

- (a) A cost of living adjustment is a percentage applied to Executive quartiles.
- (b) The City Council determine whether the City will give a cost of living adjustment in any year and the size of the adjustment.
- (c) A cost of living adjustment shall be effective on the first day of a new fiscal year.

SECTION 6. DATE OF PAY INCREASES

- (a) Notwithstanding provisions of Article 8B, Section 8B-124(a) of the City Code, the effective date for an executive employee(s) merit increase(s), if any, shall be on said employee(s) initial anniversary date of hire, and thereafter as the City Council deem appropriate upon evaluation of said employee(s).

Page Four  
Executive Pay Plan Ordinance


Adopted this 12th day of June, 1995 to take effect July 1, 1995.

AYE: Sharp, Chavez, Davenport, Elrich, Porter, Williams

NAY: None

ABSTAINED: None

ABSENT: Rubin

NOTE:  indicates new language to be added.  
Brackets [ ] indicates language to be deleted.

ORDINANCE NO. 1995-21

HOLTON LANE IMPROVEMENTS PROJECT

WHEREAS, Prince George's County has allocated \$77,702.92 in Program Year 19, reprogrammed \$28,970 in surplus funds from the Takoma/Langley Phase II Project PY 19, and reprogrammed \$9,130 from the Takoma/Langley Phase I Project PY 17 to the City through the Community Development Block Grant Program for street improvements for the Thirteen Hundred Block of Holton Lane; AND

WHEREAS, in accordance with City Procurement procedures a Request for bids was advertised in the Washington Post, Dodge Report, and Blue Reports; AND

WHEREAS, two bids were received and publicly opened at 2:00 pm, May 26, 1995 with the results as follows:

District Paving	\$118,272.00
Champion General Contractors	\$125,946.00

WHEREAS, the apparent low bidder, District Paving, is considered to be responsive and responsible; AND

WHEREAS, based on the unit costs of the low bidder, the allocated funds are sufficient to accomplish the authorized work on the street improvements.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT the bid received from District Paving in the amount of ONE HUNDRED EIGHTEEN THOUSAND SEVEN HUNDRED SEVENTY TWO DOLLARS AND ZERO CENTS (\$118,272.00) be accepted not to exceed ONE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED TWO DOLLARS AND NINETY TWO CENTS \$115,802.92; AND

SECTION 2. THAT funds to cover this work in the amount of ONE HUNDRED FIFTEEN THOUSAND EIGHT HUNDRED TWO DOLLARS AND NINETY TWO CENTS (\$115,802.92) be charged as follows:

PRINCE GEORGE'S COUNTY	ACCOUNT NO. 0010 6838 (\$77,702.92)
PRINCE GEORGE'S COUNTY	ACCOUNT NO. 0010 6828 (\$28,970.00)
PRINCE GEORGE'S COUNTY	ACCOUNT NO. 0010 6820 (\$9,130.00)

ADOPTED THIS 12th DAY OF JUNE, 1995

- AYES: Sharp, Chavez, Davenport, Porter
- NAYS: None
- ABSTAIN: None
- ABSENT: Elrich, Rubin, Williams

Introduced by: Councilmember Davenport

Adopted: 6/12/95

ORDINANCE NO. 1995 - 22

LIBRARY WORK SPACE IMPROVEMENTS: REMODELING

- WHEREAS, ORDINANCE #1994-28, FY95 BUDGET AMENDMENT NO. 1 appropriated \$48,500. from Unappropriated Reserves for Library work space renovations; AND
- WHEREAS, In accordance with City Procurement procedures a request for bids for remodeling was advertised in the Washington Post, Dodge Report, and Blue Reports; AND
- WHEREAS, two bids were received and publicly opened at 2:00 pm, June 5, 1995; AND
- WHEREAS, the apparent low bidder is considered to be responsive and responsible; AND
- WHEREAS, based on the unit costs and base bid of the low bidder, the allocated funds are sufficient to accomplish the authorized work on the Library work space remodeling.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT the bid received from Bob Grill General Contractor, Inc. in the amount of NINETEEN THOUSAND SEVEN HUNDRED EIGHTY THREE DOLLARS AND ZERO CENTS (\$19,783.00) be accepted; AND

SECTION 2. THAT funds to cover this work in the amount of NINETEEN THOUSAND SEVEN HUNDRED EIGHTY THREE DOLLARS AND ZERO CENTS (\$19,783.00) be charged as follows:

CAPITAL EQUIPMENT EXPENDITURE                      ACCOUNT NO. 9000-8000

ADOPTED THIS 12th. DAY OF JUNE, 1995

AYES: Sharp, Chavez, Davenport, Porter

NAYS: None

ABSTAIN: None

ABSENT: Elrich, Rubin, Williams

Introduced by: Councilmember Porter

Adopted: 6/12/95

ORDINANCE NO. 1995-23

LIBRARY WORK SPACE IMPROVEMENTS: FURNISHINGS

- WHEREAS, ORDINANCE #1994-28, FY95 BUDGET AMENDMENT NO. 1 appropriated \$48,500. from Unappropriated Reserves for Library work space renovations; AND
- WHEREAS, In accordance with City Procurement procedures a request for bids for furnishings was advertised in the Washington Post, Dodge Report, and Blue Reports; AND
- WHEREAS, three bids were received and publicly opened at 2:00 pm, June 5, 1995; AND
- WHEREAS, the apparent low bidder for Bid Group A: Library furniture and Bid Group B: Steel Cantiliever Shelving is considered to be responsive and responsible; AND
- WHEREAS, based on the unit costs of the low bidder, the allocated funds are sufficient to accomplish the authorized work on the Library work space remodeling.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND

SECTION 1. THAT the bid received from Young & Watson, Inc. in the amount of NINETEEN THOUSAND EIGHT HUNDRED FIFTY ONE DOLLARS AND ZERO CENTS (\$19,851.00) be accepted; AND

SECTION 2. THAT funds to cover this work in the amount of NINETEEN THOUSAND EIGHT HUNDRED FIFTY ONE DOLLARS AND ZERO CENTS (\$19,851.00) be charged as follows:

CAPITAL EQUIPMENT EXPENDITURE            ACCOUNT NO. 9000-8000

ADOPTED THIS 12th. DAY OF JUNE, 1995

AYES: Sharp, Chavez, Davenport, Porter

NAYS: None

ABSTAIN: None

ABSENT: Elrich, Rubin, Williams